

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2008-052931

04/25/2012

HONORABLE DOUGLAS GERLACH

CLERK OF THE COURT
C. Vigil
Deputy

IN RE THE MATTER OF
REBECCA R AHRENS

REBECCA R AHRENS
UP

AND

ROBERT JAMES MILLER

ROBERT JAMES MILLER
1924 E. DARTMOUTH ST.
MESA AZ 85203

MINUTE ENTRY

The Court has received a Request for Order Granting or Denying a Custody Hearing,
filed by Respondent.

**IT IS ORDERED setting this matter for Resolution Management Conference on
June 11, 2012 at 11:30 a.m. (30 minutes allowed) in this Division, at:**

**Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street, Courtroom 104,
Phoenix, Arizona 85032**

**At the Conference, the Court will discuss with the parties whether it makes sense for
them to agree to a settlement of any issues, and otherwise, schedule further activities that
may be necessary to bring this case to a conclusion. Please see below regarding each**

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party's responsibility to present a comprehensive settlement offer to the other party before the Conference takes place. Failing to do this may delay the processing and conclusion of the case.

The Court will not consider any evidence or requests for any orders at this time unless both parties agree to what is requested, except that the Court may adopt some temporary orders at the Conference if one party complies with the procedures and requirements described below, and the other party does not. Therefore, please read what follows carefully.

You must attend the Conference in person. The Court will consider a request to participate by telephone, but except in very unusual circumstances, participating by telephone will be allowed only if a party resides out of state, and even then, that party is expected to comply with the procedures and requirements listed below. Any request to appear by telephone may be made either in writing or orally by calling 602-372-5851. Such requests must be made at least 5 days before the date of the Conference.

IF ONLY ONE OF THE PARTIES IS PRESENT FOR THE CONFERENCE, THE COURT MAY ENTER A DEFAULT AGAINST THE ABSENT PARTY (OR, IN OTHER WORDS, GRANT THE REQUESTS MADE BY THE PARTY THAT IS PRESENT). IF NEITHER PARTY IS PRESENT, THE COURT MAY DISMISS THIS CASE, AND IF THAT HAPPENS, ANY PARTY WHO LATER WANTS THE COURT TO DO ANYTHING WILL HAVE TO PAY A NEW FILING FEE.

WHAT YOU MUST DO BEFORE THE CONFERENCE

EACH PARTY IS EXPECTED TO PREPARE FOR THE CONFERENCE. TO UNDERSTAND FULLY WHAT THAT MEANS, PLEASE READ WHAT IS SET OUT BELOW. IF YOU DO NOT, THE PROCESSING OF YOUR CASE MAY BE DELAYED. Please understand that the purpose here is not to burden you unnecessarily, but to allow the Court to collect information that it needs so that it can assist you in processing your case as efficiently as possible.

1. You are expected to exchange a reasonable, responsible settlement proposal or engage in serious settlement discussions with the other party **before** the Conference takes place. At the Conference, each party, and that party's attorney if one has been retained, must be prepared to discuss the issues about which the parties disagree, how those issues might be resolved without the Court's participation or intervention, and otherwise, what that party would like to Court to do. **If, before the Conference takes place, the parties have neither talked with one another nor**

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exchanged serious proposals about how to resolve **all** disputed issues, the Court may reschedule the conference so that the parties make such an effort, and that could delay the processing of the case, possibly for several months.

In the event that one party attempts to comply with this requirement and the other party does not, the Court may adopt one or more temporary orders at the Conference that will remain in effect at least until the noncompliant party does comply.

2. **You should file a Memorandum** (and provide copies to the opposing party and the Court) that states the following:

a. **Subjects of disagreement** -- What do you and the other party disagree about (such as custody, parenting time, child support, spousal maintenance, allocation of responsibility for paying debts, and division of property).

i. If there is disagreement about **legal custody**, state simply what arrangement you want (such as sole custody, joint custody, joint custody with one parent designated as the presumptive decision maker, or some other arrangement)

ii. If you are requesting **child support**, provide a child support work sheet that is completed to the best of your ability based on information available to you. If you contend that no child support should be awarded, your Memorandum should say so. If you agree that child support is appropriate but disagree about the amount, you must provide a child support worksheet that reflects what you believe is the appropriate amount that should be awarded. The Court understands that, in the future, you may acquire information that will cause you to modify your position regarding child support, which you will be permitted to do without any penalty. But you must still submit a completed worksheet at this time based on facts that you believe to be true. Merely stating that you want the amount allowed under the Arizona Child Support Guidelines is **not sufficient**.

iii. If there is disagreement about **parenting time**, provide the specific plan that you want. In other words, specify precisely those days when you want parenting time. You may find it helpful to print and complete a form available from one of many Internet sites. But, however you choose to do so, in some manner specify a plan. Simply stating that, for example, you want "equal

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parenting time,” a plan that is “fair” or “reasonable,” or “whatever the Court thinks is reasonable” is **not sufficient**.

iv. If you are requesting **spousal maintenance**, state the amount you are requesting, if any, that you think is fair and list the reasons that justify the amount. In other words, state what your number is and provide as much explanation as possible to justify that number so that the Court will know that what you are requesting is not a number merely pulled out of the air. If you oppose a request for spousal maintenance, provide the reasons that you think make the request unfair or unreasonable.

v. If there is disagreement about the **division of any property**, list each such item of property and how you want it divided.

vi. If there is disagreement about the **allocation of responsibility for paying any debts that are owed**, list each such debt (stating the creditor and amount owed) and how you want that debt allocated or divided.

vii. If there is disagreement about **anything else**, explain what it is and what you want the Court to do about it.

b. **Witnesses** – What are the names of any witnesses whom you may ask to testify at a formal hearing on your behalf and who they are (provide a very brief description about them (such as a child’s teacher, a grandparent, a friend, a neighbor, or an employer)). This information is important because sometimes judges must disqualify themselves if they know a witness. You will not be locked into this witness list. If, later on, you decide that additional witnesses will be required, you may add them to your list.

c. **Settlement** – What have you done to comply with the requirement explained above regarding your responsibility to discuss or exchange settlement proposals with the other party. In addition, attach to your memorandum a written settlement proposal acceptable to you regarding **all** disputed issues.

3. **Deadlines** – The Memorandum should be filed with the Clerk of the Court, and copies should be delivered to the other party and to the Judge assigned to this case not later than 5 days before the date of the Conference. You may mail your copy to the other party, but if you do, you should place it in the mail at least 7 days before the date of the Conference. Note: Attorneys should avoid having memoranda delivered to the Court minutes before the Conference. That

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does not allow sufficient time for the Court to read it, and thus, the preparation of such memoranda results in an unnecessary expense for the client.

All requests for reasonable accommodation for persons with disabilities must be made to the Judge assigned to this case at least 5 days before the date of the Conference.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.